REMARKS

Reconsideration of this application, as amended, is requested.

Claims 1-9 remain in the application. Claim 1 has been amended to add certain of the limitations that had been in claim 5 and to clarify that each of a plurality of documents sets can be sent by a plurality of transmission processes to the same recipient with only a one time designation of the recipient. Support for the amendments to claim 1 can be found in at least paragraphs 0007, 0045, 0061-0065 and 0073 and in FIG. 4 of the present application. Therefore, it is respectfully submitted no new matter has been added to the present application by this amendment. Claim 5 has been amended to conform to amended claim 1.

Counsel thanks Examiner Lett for the courtesies extended during the interview on November 3, 2008. A draft Amendment was presented prior to the interview. This Amendment goes beyond that draft to address issues discussed during the interview, including the two new references mentioned by the Examiner.

Claim 1 was objected to because "[t]he claim language is conflicting and/or ambiguous" as set forth on page 2 of the office action dated August 4, 2008.

Claim 1 has been amended to overcome the objection and it is respectfully submitted the objection to claim 1 should be withdrawn.

Claims 1-9 were rejected under 35 USC 103(a) as being unpatentable over Kuwahara et al., U.S. Patent No. 6,894,799, in view of Wiley, U.S. Publication 2003/0081234, as set forth on pages 2-8 of the office action dated August 4, 2008.

Kuwahara et al. is directed to a facsimile machine (F) that is capable of performing a confidential transmission, broadcast transmission, etc. by batch transmission.

Kuwahara et al. discloses that "[t]he transmission function includes a delayed transmission function for temporarily storing single image data, which is scanned by the scanner 11, in the image memory 5 and then sending it to a recipient at a specified time, and a batch transmission function for sequentially accumulating a plurality of image data, which is scanned by the scanner 11 respectively, into the memory box 5a and simultaneously sending these data to one or more recipients at a predetermined time" (see col. 3, lines 43-51 of Kuwahara et al.). The batch transmission function of Kuwahara et al. is adapted to collectively store a plurality of image data and thereafter simultaneously transmit the plurality of image data at a predetermined time by one transmission process.

Amended claim 1 is directed to an image reading apparatus so configured as to render image data transmittable to a device via a predetermined network, including, inter alia, "reading means for reading an image of a document to generate image data corresponding to a single document set and to generate plural image data corresponding to a plurality of document sets; recipient designating means for designating a recipient to which the image data read by said reading means is sent via the network in response to a manipulation by a user; transmitting means for transmitting the image data read by said reading means to the recipient designated by said recipient designating means; and operating means for allowing the user to enter an operation command to the image reading apparatus and including a start key, wherein said transmitting means serially sends plural image data corresponding to the plurality of document sets read by said reading means to the same recipient upon a one time designation of the recipient by said recipient designating means by a plurality of transmission processes in a serial transmission mode of serially sending each of the plurality of document sets separately by

repeating the image reading by said reading means and the image data transmission by said transmitting means without the designation of the recipient by said recipient designating means in response to the depressing the start key in the serial transmission mode".

According to amended claim 1, a recipient, to which image data is transmitted, is designated by a user "upon a one time designation." Then plural image data corresponding to a plurality of read documents are created, the created image data are transmitted to the designated recipient, and the reading and transmission processes are sequentially repeated with respect to plural documents. Plural image data read out from each of a plurality of documents then are transmitted separately to the same designated recipient serially in a serial transmission mode of serially sending plural image data corresponding to plural document sets in response to depressing the start key for each set of the plurality of document sets. Consequently, a user can transmit image data corresponding to plural documents serially to the same recipient by setting the recipient only once, so that an operability of a user in a serial job operation of transmitting a plurality of documents can be improved and the recipient will receive each of the plurality of document sets separately so each of the plurality of document sets are distinguishable from each other. In other words, since a user can transmit each of a plurality of documents sequentially by performing setting of a recipient only once, and repeating setting of documents and pressing of a start key for each set of the plurality of document sets, the apparatus of amended claim 1 can improve a user's operability in serial job operation of transmitting a plurality of documents.

The Examiner pointed out that, if a user sets N documents/pages on a feeder or manually feeds N documents/pages, the real time transmission mode of Kuwahara et al. immediately sends each of a plurality of stored pages, and the user only has to designate a recipient once, thus Kuwahara et al. does not require a designation of a recipient as each page is scanned. On the other hand, the serial transmission mode according to claim 1 sends plural image data corresponding to a plurality of document sets. Accordingly, the N documents/pages in the real time transmission mode of Kuwahara et al. pointed out by the Examiner correspond to the single document set formerly of claim 1, and the transmission of a single document set upon a one tim e designation of the recipient corresponds to the single transmission mode according to claim 2 of individually sending single image data read from a single document. Therefore, Kuwahara et al. does not disclose the serial transmission mode according to claim 1.

The Examiner acknowledged that Kuwahara et al. does not disclose an image reading apparatus configured to render image data transmittable to a device via a predetermined network. However, the Examiner turned to Wiley in an effort to overcome this admitted deficiency of Kuwahara et al. The Examiner concluded that Wiley discloses that image data may be sent to different network types such as fax, email, printer, copier, etc (paragraph 0016, FIGS. 2-5). Furthermore, the Examiner also pointed out that Wiley discloses: a reading means (imaging bed 103) for reading an image of a document to generate image data corresponding to a single document set (electronic document 120) and to generate plural image data corresponding to plural document sets (plural paper documents 110 can obviously be made into a plurality of electronic document images 120) to the same recipient upon a one time designation of the recipient by said recipient

designating means (FIGS. 2-5) by a plurality of transmission processes (email, fax, etc.); and recipient designating means (interface 200, paragraphs 0021 and 0033) for designating a recipient (paragraph 0034, and FIGS. 2-5) to which the image read by said reading means is sent via the network in response to a manipulation by a user, and thus claim 1 is obvious from Kuwahara et al. and Wiley.

According to Wiley, a designation of a recipient is executed once. However, as shown in FIGS. 2-5, but plural recipients (plural destinations) are designated, and if a single document set is sent to the plural recipients, a single document set is converted into a different format for each recipient, and a different transmission process (email, facsimile, and etc.) is executed for each recipient. In other words, Wiley designates plural recipients by a one time designation, but then a single document set having the same content is sent in a parallel to a plurality of recipients, i.e., plural apparatuses (for example, computer and facsimile). Of course Wiley can designate one recipient by one time designation. In this situation, a single document is converted into a format suitable for one recipient, and a single document set is transmitted by one time transmission process.

On the other hand, the serial transmission mode of claim 1, serially sends plural image data corresponding to a plurality of document sets to the same recipient upon a one time designation of the recipient by said recipient designating means by a plurality of transmission processes. In other words, according to the serial transmission mode, after one recipient is designated by a one time designation, each of a plurality of different document sets are sent separately to one recipient, i.e., one apparatus (for example, computer or facsimile), "by repeating the image reading by said reading means and the image data transmission by said transmitting means without the designation of the

recipient by said recipient designating means in response to the depressing the start key in the serial transmission mode". Therefore, the serial transmission mode of claim 1 also is not disclosed or suggested in Wiley.

It is submitted respectfully that claim 1 is patentable over Kuwahara et al. and Wiley alone or in any combination and is in condition for allowance.

Claims 2-9 all depend, either directly or indirectly, from amended claim 1 and are patentable for at least the reasons set forth above with respect to claim 1.

Examiner Lett mentioned U.S. Patent No. 5,084,770 to Nakayama and Japanese Unexamined Patent Publication No. 03-126374 during the interview of November 3, 2008.

Nakayama relates to a facsimile apparatus that adds an identifier signal automatically to each file when a plurality of files are sent as a batch, so that a recipient can identify each file. Japanese Unexamined Patent Publication No. 03-126374 (hereinafter JP03-126374) relates to a facsimile apparatus where a specified confidential password and a specified confidential mail number are given to a confidential received document so that a plurality of confidential received documents can be received as independent confidential received documents, and also a plurality of documents can be sent to the same destination in a distinguishable state. However, Nakayama and JP03-126374 are based on a collective transmission of transmitting a plurality of documents at one call connection (i.e., one transmission process), thus the plurality of documents are transmitted collectively by one transmission process. Thus, it is not disclosed or suggested that a plurality of documents are separately transmitted by a plurality of transmission processes, as recited in amended claim 1.

Thus, neither Nakayama nor JP03-126374 enable a recipient to distinguish documents when a plurality of documents are sent collectively by one transmission process. Therefore, for the purpose of enabling a recipient to distinguish the documents, an identifying signal, or a specified confidential password and a confidential mail number is/are added to each document so that a plurality of documents are sent collectively by one transmission process. If the Nakayama and JP03-126374 disclose or suggest that a plurality of documents are transmitted separately by a plurality of transmission processes, each document can be distinguished by separate transmission. Therefore, it is not necessary to give the above-described identifying signal or the like to each document. Thus, Nakayama and JP03-126374 do not disclose or suggest that "plural image data corresponding to a plurality of document sets read by said reading means are sent to the same recipient upon a one time designation of the recipient by said recipient designating means by a plurality of transmission processes in a serial transmission mode of serially sending each of the plurality of document sets separately by repeating the image reading by said reading means and the image data transmission by said transmitting means without the designation of the recipient by said recipient designating means in response to depressing the start key in the serial transmission mode."

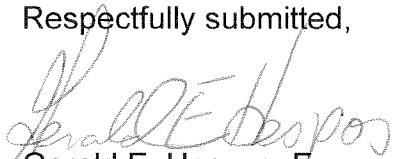
On the other hand, a destination to which image data is to be sent is designated once by a user of the apparatus of amended claim 1. The image reading by said reading means and the image data transmission by said transmitting means then are repeated in response to depressing the start key in a serial transmission mode of serially sending each of the plurality of document sets separately without the designation of the recipient by said recipient designating means. Thus, plural image data corresponding to a

plurality of document sets read by said reading means are sent to the same recipient upon a one time designation of the recipient by said recipient designating means by a plurality of transmission processes in the serial transmission mode. Thus, according to amended claim 1, a user can send plural image data corresponding to a plurality of documents separately and successively to the same destination by setting a destination once and depressing the start key for each document. Consequently, the invention of amended claim 1 achieves a new effect, which is not disclosed in any of the cited references, that an operability of user in a successive job operation of sending a plurality of documents can be improved without giving an identifying signal or a specified confidential password and a confidential mail number to each document.

It is submitted respectfully that amended independent claim 1 and dependent claims 2-9 are not rendered obvious by any of the references and should be allowed.

In view of the preceding remarks, it is submitted that the claims remaining in the application are directed to patentable subject matter and allowance is solicited. The Examiner is urged to contact applicants' attorney at the number below to expedite the prosecution of this application.

Respectfully submitted,



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Date: December 15, 2008